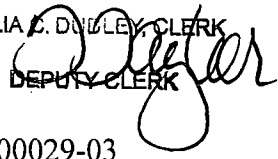


DEC 18 2015

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

JULIA C. DOWLEY, CLERK
BY: 
DEPUTY CLERK

UNITED STATES OF AMERICA)	Criminal Action No. 5:06CR00029-03
)	Civil Action No.
v.)	
)	<u>ORDER</u>
MARK GLENN SCHROEDER,)	
)	By: Hon. Glen E. Conrad
Defendant.)	Chief United States District Judge

On October 2, 2006, the defendant, Mark Glenn Schroeder, pled guilty to possession of a firearm by a convicted felon and to five offenses related to the distribution of cocaine base. The defendant was sentenced as an armed career criminal under 18 U.S.C. § 924(e), based in part on a District of Columbia conviction for robbery. The parties agree that the robbery offense is no longer a qualifying offense under § 924(e)(2)(B) after the Supreme Court's decision in Johnson v. United States, 135 S. Ct. 2551 (2015), and that the defendant is entitled to resentencing. Accordingly, the defendant has filed an unopposed motion to vacate his sentence pursuant to 28 U.S.C. § 2255. For good cause shown, it is hereby

ORDERED

as follows:

1. The Clerk is directed to docket the defendant's motion as a motion to vacate, set aside, or correct sentence under 28 U.S.C. § 2255;
2. The § 2255 motion is **GRANTED**;
3. The defendant shall be resentenced after the United States Probation Office has prepared a supplemental presentence report;
4. The Probation Office is directed to prepare such report;
5. The date of the resentencing hearing will be set forth in a subsequent order;

and

6. The defendant shall remain in the custody of the Federal Bureau of Prisons pending his resentencing hearing.

The Clerk is directed to send a certified copy of this order to the defendant, all counsel of record, and the Probation Office.

ENTER: This 17th day of December, 2015.



Chief United States District Judge